

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, June 02, 2015

The Brookings County Board of County Commissioners met in regular session on Tuesday, June 02, 2015 with the following members present: Tom Yseth, Ryan Krogman, Larry Jensen, Stephne Miller, and Lee Ann Pierce.

CALL TO ORDER

Chairperson Yseth called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

The agenda for the June 02, 2015 Commission Meeting was approved as amended without objection. The board added an Executive Session to the agenda in accordance with SDCL 1-25-2(3), SDCL 1-25-2(4), and SDCL 1-25-2(5).

EXECUTIVE SESSION

Motion by Krogman, seconded by Pierce to enter into Executive Session at 8:37 a.m. in accordance with SDCL 1-25-2(3), consulting legal counsel, SDCL 1-25-2(4), preparing for contract negotiations, and SDCL 1-25-2(5), discussing marketing. Motion carried. The board came out of Executive Session at 8:57 a.m. No action was taken.

CONSENT AGENDA

The consent agenda was approved without objection from the board. The consent agenda consisted of the minutes from the May 19, 2015 Commission Meeting.

Travel & Education Requests: Michael Holzhauser to attend a Welfare Regional Training and Planning meeting on May 20th in Pierre; Michelle Delaney to attend a First Aid/CPR/AED Training on June 2nd-3rd in Sioux Falls; Jackie Rippert to attend the Motor Vehicle training at Spring Workshop on May 13th in Pierre; Laura Littlecott to attend a SD Governmental Human Resource School on June 9th-10th in Pierre.

Personnel Action Notices: voluntary resignation- Jacqueline Anderson, effective April 26, 2015; new hire- Mitchell Lang to temporary/seasonal ATV Driver at \$14.48, effective May 18, 2015; routine step increase- Mike Giegling to \$24.35, effective June 01, 2015; routine step increase- Martha Giegling to \$19.99, effective March 01, 2015.

Human Services Report: case #15-037 for rent was approved; case #15-049 for Sioux Valley Energy was approved; case #15-053 for Otter Tail Power Company was approved; case #15-054 for Deuel County Farmers Union Oil was approved; case #15-056 for rent was approved.

ROUTINE BUSINESS

Approval of Claims

Motion by Miller, seconded by Jensen to approve the following claims. Motion carried.

Adams, Jason R., CAA, \$2,118.66; Allegra Print & Imaging, Weight Tickets, \$239.27; Anderson Oil, White Diesel, \$1,195.54; Archeology Laboratory, Archeological Records Search, \$1,635.00; ATCO International, Spill Kit For Trucks, \$250.00; Avera Queen of Peace, Drug Tests, \$56.90; Banner Associates, Engineering Services, \$24,628.46; Bauer, Tim, May Weed & Pest Board Mileage, \$8.14; Best Western Ramkota Inn, Rooms For Spring Convention, \$743.92; Bowes Construction, Overlay on 25B, \$773,437.77; Bowes, Jason, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$1003.22; Bowes Peterson, Miranda, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$1,003.22; Bozied Oil Co Inc, Car Washes, \$99.00; Brookings City Utilities, COP Utilities, \$92.74; Brookings Credit Bureau, Bkgs Cr Bureau, \$388.54; Brookings Domestic Shelter, 1st & 2nd Quarter Payments, \$2,500.00; Brookings Engraving, Name Plates, \$19.50; Brookings Health System, PMD, \$692.99; Brookings Health System, COP Medical, \$6,010.45; Brookings Health System, April Blood Testing, \$3,768.00; Brookings Health System, COP Medical, \$7,053.46; Brown And Saenger, POW, MIA Flags, \$80.50; C&W Repair, Engine Repair, Spray Truck, \$394.85; CDW Government Inc, APC Back-Ups, \$316.19; Central Business Supply, Files, Tabs, \$93.71; Central Business Supply, Bulletin Board, Supplies, \$144.72; Century Business Products, Copier Maintenance Agreement, \$90.00; City of Brookings, Joint Building Costs, \$2,553.40; Cody, Denise, Inv MI Hearing, \$15.00; Dell Marketing LP, Hard Drive, Inv: XJP681ck7, \$263.99; Deuel County Cenex, COP Utilities, \$213.72; DVL Fire And Safety, Fire Extinguisher Inspections, \$732.00; DVL Fire And Safety, Fire Extinguisher Maintenance, \$160.00; ESEind, Inc, Door Maintenance, Software, \$479.40; Executive Mgmt Finance Office, April 2015 Technology Fee, \$29.00; First Bank & Trust, Bond Payment and Interest, \$60,823.51; Forrest Holdings Inc, Tax Certificate, \$1,057.05; Forrest Holdings Inc, Tax Certificate, \$886.22; Freyberg, Wayne C, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$935.96; Gass Law, PC, CAA, \$1,098.00; Gass Law, PC, CAA, \$360.69; Golden, Howard & Dorothy, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$4206.47; Goldammer, Jennifer, County Mental Health Chairperson, \$587.25; Patricia J Hartsel, Transcripts, \$26.60; Patricia J Hartsel, Transcripts, \$10.40; Konard O Hauffe DDS PC, PMD, \$314.68; Hillyard/Sioux Falls, Janitorial Supplies, \$213.29; Hungerford Chiropractic PC, Drug Testing: Commission, \$30.00; Hy-Vee Food Store, Zoning Mtg Refreshments, \$7.79; Hy-Vee Food Store, Grand Jury Meal, \$18.52; Hy-Vee Food Store, Inmate Meals, \$15,549.86; Hy-Vee Food Store, PMD Rx, \$1,099.30; Ina Group LLC, Tax Certificate, \$1,618.66; KCH Law, CAA Inv MI, \$340.86; Kind Properties LLC, COP Rent, \$650.00; Benjamin L. Kleinjan, Caa, \$189.00; L.G. Everist Inc, Pea Rock, \$2,627.74; Lewno, Lucy, Inv Mi Hearing, \$148.99; L.G. Everist Inc, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$6978.75; Lincoln County Auditor, Mental Health Hearing, \$626.50; Lincoln County Auditor, Mental Illness Expenses, \$1,123.52; M&T Fire & Safety Inc, Nozzles With Pistol Grip, \$772.84; Manatron Inc, Annual Maintenance & Support, \$9,165.75; Marshall & Swift, Residential Handbook Cost Updates, \$679.90; MCI, Long Distance Phone, \$72.26; Medary Acres Greenhouse, 2 Flats Flowers For Courthouse, \$42.64; Medrano, Kathleen J., 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$935.93; Midwest Management/BMO Harris, Tax Certificate, \$9,001.96; Millborn Seeds Inc., Grass Seed, \$62.50; Moriarty, Paul, COP Rent, \$600.00; Nancy J Nelson, CAA, \$581.40; Nancy J Nelson, CAA, \$770.40; Nancy J Nelson, CAA, \$1,084.50; Northwestern Energy, Natural Gas Usage, \$128.50; Northwestern Energy, COP Utilities, \$205.89; Office Peeps Inc, Toner, \$203.30; Olson, Steve, May Weed & Pest Board Mileage, \$14.80; Ottertail Power Co, COP Utilities, \$200.00; Outdoor Adventure Center, Usage of Archery Range, \$373.50; Pennington County Jail, Transport To SDWP, \$265.30; Perelandra LLC, 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$2,107.08; Redwood Toxicology Laboratory, Drug Screening, \$393.45; Reliance Telephone, Inmate Phone Cards, \$2,000.00; RFD, Legals, Tax Reminder, \$1,159.69; RFD,

Summer Hours, Truck Bid, \$163.86; RFD, Legals, Tax Reminder, \$2,361.08; RFD, Legal Notices, \$36.85; Running's Supply Inc, Tools, \$3.92; SD Attorney General's Office, 24/7 Participation, April 1-15, \$96.00; SD Attorney General's Office, 24/7, Scram Fees April 1-15, \$1,079.00; SD Attorney General's Office, 24/7 Participation May 1-15, \$75.00; SD Attorney General's Office, 24/7, Scram May 1-15, \$1,745.00; SD Dept Of Revenue, Public Health Lab Invoices, \$140.00; SDASRO, SRO/Dare Membership Dues, \$50.00; SDEMA, Membership Dues, Conf Registration, \$70.00; SDSU Workstudy, SDSU Workstudy, \$189.68; Sioux Falls Two Way Radio, Analog Radios, \$892.97; Sioux Valley Energy, COP Utilites, \$150.81; Swanda, Karen, Inv MI Hearing, \$15.00; Thomson Reuters - West, NW Reporter, \$275.75; US Merchant Systems LLC, Credit Card Machines, \$869.08; Vandenberg Law, CAA, \$495.00; Vantek Communications Inc, June North Repeater Fee, \$100.00; Wakeman, Carolyn M., 34th Ave Project Land Purchase & Pro-Rated 2015 Taxes, \$935.93; Walburg, Duane, Animal Control Mileage, \$46.00; Walmart Community, Office/Programming Supplies, \$75.80; Walmart Community, Office Supplies, \$80.67; Wells Fargo, Memberships, Supplies, Job Postings, \$1,588.75; Terry D Wiczorek C CAA, \$207.69; Yankton County Treasurer, MI Hearings, \$295.00.

SCHEDULED AGENDA ITEM

As scheduled at 9:00 a.m., the board held a public hearing approving a Retail On/Off Sale Malt Beverage & SD Farm Wine license to West Oak Pub.

Chairperson Yseth opened the public hearing and called for proponents and opponents. Hearing none, Chairperson Yseth closed the public hearing.

Motion by Krogman, seconded by Miller to approve and authorize Chairperson Yseth to sign a Retail On/Off Salt Malt Beverage & SD Farm Wine license to West Oak Pub. Roll call vote: Krogman "aye," Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye." Motion carried.

Department Head Reports

County Development Director Robert Hill reported on the Tri-State Emergency Management meeting in Sioux Falls. Pierce asked Hill what the Homeland Security Grant was. Hill said local governments are able to apply for this grant online and it allows the entities to use that money for radios, gas masks, sirens, and other needed purchases.

Director of Equalization Joyce Dragseth said she, Deputy Director of Equalization Chris Lilla, and Appraisers Larry Klingbile, Jere Hieb, and Jacob Brehmer are attending the SDAAO Annual Conference in Yankton on June 2nd-5th. Dragseth also noted she will attending the NACRO Conference in Wisconsin on June 15th-18th. She said she will have Lilla attend the budget hearing.

Sheriff Marty Stanwick said there are 31 inmates in jail and 56 individuals participating on the 24/7 program. Stanwick said he has received positive phone calls regarding the potential safe holding room at the hospital. Stanwick said a bicycle safety course was conducted in Volga. He said roughly eighty children participated. Stanwick said they continue to receive scam reports.

SCHEDULED AGENDA ITEM

As scheduled at 9:10 a.m., the board held a public hearing approving the renewals for a Retail On/Off Sale Malt Beverage license for the Corner Gas & Goodies and a Retail On/Off Salt Malt Beverage & SD Farm Wine license for Danceland Campground.

Chairperson Yseth opened the public hearing and called for proponents and opponents. Hearing none, Chairperson Yseth closed the public hearing.

Motion by Krogman, seconded by Miller to approve and authorize Chairperson Yseth to sign the renewals for a Retail On/Off Sale Malt Beverage license for the Corner Gas & Goodies and a Retail On/Off Sale Malt Beverage & SD Farm Wine license for Danceland Campground.

Pierce said businesses who fail the liquor stings should come forward and let the board know what they are doing to make corrections. Yseth said the owners assume they are working with the state and not the county. Pierce said this board is the licensing agent and underage consumption is a problem in Brookings County. Pierce said it is courtesy to come forward and answer any questions the commission might have. Miller said she agrees with Pierce, however, the owners have never been required to do this before. Miller said the county would need to notify the owners who fail the liquor stings. By consensus, business who fail the liquor stings will be notified and will be required to come before the board in the future.

Roll call vote: Miller “aye,” Jensen “aye,” Pierce “nay,” Krogman “aye,” Yseth “aye.” Motion carried.

Department Head Reports Continued

Highway Superintendent Richard Birk updated the board on the 486th Avenue project. Birk said they have not received a grant for the engineering part of that project yet. He said they have been approved but the dollar amount has not been determined. By consensus, the board allowed Birk to proceed with the proposal from the Geotech Engineering.

Birk also said Telkamp Housemovers would like a permit to cross the bridge on Hwy 25 one time. Birk said when Telkamp goes across the bridge, one part of the load will be completely off the bridge so he would not be putting all of the weight on it. Jensen asked if Telkamp was aware of the replacement cost in case the bridge fails. Jensen asked if the permit was issued, would they be waving the replacement costs. Dick said yes. Deputy States Attorney Abigail Howard suggested putting the procedure on the agenda for the next regularly scheduled meeting. Howard said they would need to review the ordinance. Krogman asked if there was an alternative route he could take. Krogman suggested that he list the reasons for using the bridge for the next meeting.

Birk said the pavement on Hwy 24 is cooling and will be open for use very soon. Birk also said the paving on Hwy 77 should be ready to go if the weather holds.

Finance Officer Vicki Buseth said she is buying five used E-poll books. She said they would be used as spares or in case they add another voting location. Buseth reminded commissioners the Lake Hendricks Road District election will be Tuesday, June 9th. Buseth also said they are going through the tax deed process on two properties.

REGULAR BUSINESS

Motion by Pierce, seconded by Miller to approve a request for funding for \$1,500.00 for the Uncle Sam Jam 4th of July event held at the Swiftel Center. Motion carried.

Motion by Pierce, seconded by Miller to approve a request for funding from the Elkton Special Days Committee for \$500.00 for their annual fireworks display for the Fourth of July. Motion carried.

Motion by Miller, seconded by Krogman to approve a request for permission to hold a fireworks display on Friday, June 12th at Meadow Creek Golf Course for Volga’s Old Timer’s Day Celebration. Motion carried.

Motion by Krogman, seconded by Miller to approve and authorize Chairperson Yseth sign a letter to the SDSU Students’ Association President regarding having a voting center location on campus.

Pierce suggested the parking section of the letter be rephrased. Motion carried.

Motion by Miller, seconded by Jensen to approve and authorize Chairperson Yseth sign Abatement #2015-008: an abatement request made by Cassius Disbrow for parcel #40999-00011-107-00 in the amount of \$44.93. Motion carried.

Motion by Pierce, seconded by Krogman to approve and authorize Chairperson Yseth sign Resolution #15-33: a Resolution Authorizing the purchase of Real Estate for 213th Street Reconstruction. Roll call vote: Jensen “aye,” Pierce “aye,” Krogman “aye,” Miller “aye,” Yseth “aye.” Motion carried.

BROOKINGS COUNTY RESOLUTION NO. 15-33

RESOLUTION AUTHORIZING THE PURCHASE OF REAL ESTATE FOR 213TH STREET RECONSTRUCTION

BE IT RESOLVED by the Board of County Commissioners of Brookings County, South Dakota, as follows:

WHEREAS, Brookings County will be re-building a portion of 213th Street which construction requires the purchase of certain real estate to be included in the right-of-way for the reconstructed 213th Street; and

WHEREAS, Brookings County desires to purchase the following described real property from the Sellers and at the purchase price as listed below:

Lot H1 in the Southeast Quarter (SE1/4) in Section Twenty-seven (27), Township One Hundred Ten (110) North, Range Forty-nine (49) West of the 5th P.M., Brookings County, South Dakota, from John L. Anderson and Ruth Ann Anderson, in the amount of \$740.00;

WHEREAS, the above-described real property has been offered for sale to Brookings County by the above-described Sellers for the total purchase price of \$740.00 Dollars.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Brookings County, South Dakota, as follows:

That Brookings County acquire title to the above-described real property from the above-listed property owners for the purposes of reconstruction of 213th Street in Brookings County, South Dakota; and

B. That the Chairperson of the Board of County Commissioners, the County Finance Officer, and the Deputy States Attorney are authorized to execute a Real Estate Purchase Agreement and other required documents in accordance with this Resolution.

Passed and approved on the 2nd day of June, 2015.

ATTEST:

BROOKINGS COUNTY

Vicki Buseth
Brookings County Finance Officer

Tom Yseth
Chairperson
Board of County Commissioners

Motion by Miller, seconded by Krogman to approve and authorize Chairperson Yseth sign Resolution #15-34: a Resolution Authorizing the Purchase of Dump Body, Hoist, Hydraulics, Truck Plow Hitch; with

Options: Reversible Plow, Mid-Mount 10' Wing, Assist, Axle, Pup Pull Plate and Sand Spreader, based upon the price established through the Brookings County bid process.

Highway Superintendent Richard Birk said after hearing reviews from some of the vendors, he would like the board to reject all bids and rebid it. Deputy States Attorney Abigail Howard also suggested that the board reject all bids and rebid it.

Motion to amend by Pierce, seconded by Jensen to reject all bids and rebid the purchase. Roll call on the amendment: Pierce "aye," Krogman "aye," Miller "aye," Jensen "aye," Yseth "aye." Amendment carried.

Roll call on the main motion as amended: Krogman "aye," Miller "aye," Jensen "aye," Pierce "aye," Yseth "aye." Motion as amended carried.

Motion by Krogman, seconded by Miller to approve and authorize Chairperson Yseth sign Agreement #15-61: a Road Right-of-Way Use Agreement between Brookings County and the CapX2020 Big Stone South-Brookings County Project. Motion carried.

Motion by Miller, seconded by Krogman to approve and authorize Chairperson Yseth sign Agreement #15-62: a State of South Dakota Sub-Recipient Agreement for Provider Services between Brookings County and the South Dakota Department of Health for WIC Services. Motion carried.

Commission Department Director Stacy Steffensen presented the Commission Department Director Report. Steffensen explained the Surplus Cash Analysis to the board. She said they are at a much lower percentage of surplus cash in the General Fund than they typically are this time of year. She said it is because they budgeted more money to be transferred from the General Fund to the Highway Fund this year than in years past. Steffensen said action is not necessary at this time, but she and Finance Officer Vicki Buseth will keep a close eye on it.

Pierce asked if there was a minimum amount they can have in surplus. Steffensen said no. Yseth said he thinks Steffensen and Buseth should sit down and propose a percentage or a dollar amount of the county's bottom line. Krogman said he liked that idea.

Steffensen said they have received notice from the DOT to move forward with advertising for bids for the 213th Street Project. She said the bid opening will be June 11th at 3:00 p.m. and the board will approve the bid award at the June 19th meeting. Steffensen also discussed upcoming dates.

Deputy States Attorney Abigail Howard updated the board on the Peddler Ordinance. She said she hopes to have that done by the next meeting. Howard also reported on the issue regarding stop signs. Howard said she is doing some background research and hopes to find a solution. Howard also said the closings are done for the 34th Avenue Project. The board also discussed the Everist easement.

COMMISSIONERS' REPORTS & DISCUSSION

Commissioner Pierce reported on the Tourism Luncheon; attended the Falcon Plastic Ribbon Cutting Ceremony; attended the Swiftel Advisory Meeting. Pierce said she is also working on the Peddler Ordinance.

Commissioner Jensen reported on the BATA Meeting and on the minimal maintenance road issue and postal issue.

Commissioner Miller had no reports at this time.

Commissioner Krogman toured the Novita Project; reported on the 911 Meeting and BEDC Meeting; attended the Falcon Plastic Ribbon Cutting Ceremony; and reported on the Hospital Board Meeting.

Krogman said the hospital wants to be a part of the discussion regarding the request for a safe holding room, but in their building design they have no plans to have a safe room. Krogman said the issue is not the upfront cost, it is the cost to maintain it. Krogman said the hospital cannot afford it.

Miller said the county has been paying for it the entire time through the Sheriff's office. Stanwick said he is looking for that initial, short term place to hold them while they figure out what is in the individuals' systems. Deputy States Attorney Abigail Howard said there is a big difference between the needs for a mental health committal versus the needs for an alcohol and drug dependency committal. Krogman said that is the discussion that needs to happen with the hospital board. By consensus, the board authorized Chairperson Yseth to appoint commissioners Krogman and Pierce, Sheriff Marty Stanwick, and Howard to represent the county when they hold a task force meeting.

Commissioner Yseth attended the Falcon Plastic Ribbon Cutting Ceremony and reported on the Local Emergency Planning Committee Meeting.

EXECUTIVE SESSION

Motion by Krogman, seconded by Miller to enter into Executive Session at 11:00 a.m. in accordance with SDCL 1-25-2(3), consulting legal counsel, SDCL 1-25-2(4), preparing for contract negotiations, and SDCL 1-25-2(5), discussing marketing. Motion carried. The board came out of Executive Session at 11:50 a.m. No action was taken.

WORK SESSION

The board discussed the IT and Long-Range planning.

ADJOURNMENT

Motion by Krogman, seconded by Pierce to adjourn. Motion carried. The next regularly scheduled meeting is Tuesday, June 16, 2015 at 8:30 a.m.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

Jenna Peterson
Finance Assistant II
Brookings County